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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 LEONARD WASHINGTON,

11 Defendant.

Case No. 2:03-cr-0573-KJD

**ORDER**

12 Before the Court is defendant Leonard Washington's Motion to Expunge Felony (ECF  
13 No. 65). The United States has not responded, and the Court determines that no response is  
14 necessary.

15 Federal courts have limited authority and means to expunge criminal convictions. "If a  
16 person who has been lawfully convicted wishes to expunge the records of conviction, that person  
17 must first obtain a judgment that the conviction was unlawful." Erickson v. United States, 757 F.  
18 Supp. 2d 1060, 1064 (D. Or. 2010) (citing United States v. Crowell, 374 F.3d 790, 793 (9th Cir.  
19 2004)). District courts do not have the power to "expunge a record of a valid arrest and  
20 conviction solely for equitable considerations" because "the expungement of the record of a  
21 valid arrest and conviction usurps the powers that the framers of the Constitution allocated to  
22 Congress, the Executive and the states." United States v. Sumner, 226 F.3d 1005, 1014 (9th Cir.  
23 2000). The "district court's ancillary jurisdiction is limited to expunging the record of an  
24 unlawful arrest or conviction, or to correcting a clerical error." Id. Since there has been no  
25 allegation or determination that Washington's arrest or conviction was unlawful or invalid, the  
26 Court must deny his motion to expunge.

27 Additionally, the Court denies the motion because Washington failed to provide points  
28 and authorities to support his motion. Although the Court construes Washington's pro se

1 pleading liberally, he is still “bound by the rules of procedure.” See Ghazali v. Moran, 46 F.3d  
2 52, 53 (9th Cir. 1995). Under Local Rule 47-3, a party’s failure to include points and authorities  
3 in support of a motion is grounds for denial. Washington has not supported his motion with  
4 citation to any legal support or provided points and authorities to his request. Accordingly, IT IS  
5 HEREBY ORDERED that Washington’s Motion to Expunge Felony (ECF No. 65) is **DENIED**.  
6 Dated this 16th day of October, 2019.

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Kent J. Dawson  
United States District Judge